

AUSA: Shaun E. Werbelow

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

24 mj 4022

UNITED STATES OF AMERICA

v.

MAZHARUL ISLAM,

Defendant.

**COMPLAINT**

Violations of 18 U.S.C. §§ 1343, 1349

COUNTY OF OFFENSE: ORANGE

SOUTHERN DISTRICT OF NEW YORK, ss.:

Daniel Suden, being duly sworn, deposes and says that he is a Special Agent with the U.S. Department of Homeland Security, Homeland Security Investigations, and charges as follows:

**COUNT ONE**  
**(Conspiracy to Commit Wire Fraud)**

1. In or around December 2023, in the Southern District of New York and elsewhere, MAZHARUL ISLAM, the defendant, and others known and unknown, willfully and knowingly combined, conspired, confederated, and agreed together and with each other to commit wire fraud, in violation of Title 18, United States Code, Section 1343.

2. It was a part and an object of the conspiracy that MAZHARUL ISLAM, the defendant, and others known and unknown, knowingly having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, would and did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343, to wit, ISLAM and others engaged in an elder-fraud scheme, whereby they falsely acted as customer service representatives in order to defraud victims into paying them money that the victims were falsely told they owed, and sent and received, and caused others to send and receive, interstate emails and other electronic communications to victims and coconspirators in the Southern District of New York and elsewhere, in furtherance of that scheme.

(Title 18, United States Code, Section 1349)

**COUNT TWO**  
**(Wire Fraud)**

3. In or about December 2023, in the Southern District of New York and elsewhere, MAZHARUL ISLAM, the defendant, knowingly having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, transmitted and caused to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds, for the purpose of executing such scheme and artifice, to wit, ISLAM engaged in an elder-fraud scheme, including by conducting cash pickups from victims in the Southern District of New York, whereby ISLAM and others falsely acted as customer service representatives in order to defraud victims into paying them money that the victims were falsely told they owed, and sent and received, and caused others to send and receive, interstate emails and other electronic communications to victims and coconspirators in the Southern District of New York and elsewhere, in furtherance of that scheme.

(Title 18, United States Code, Section 1343 and 2)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

4. I am a Special Agent with the U.S. Department of Homeland Security, Homeland Security Investigations (“HSI”). I have been a Special Agent with HSI since October 2009. Prior to that time, I worked for the Pima County, Arizona Sheriff’s Office since October 2000. Over the course of my career, I have participated in numerous investigations involving fraud. I have gained experience relating to the ways in which individuals engage in fraud through training and my work conducting these types of investigations.

5. I have been personally involved in the investigation of this matter. This affidavit is based upon my conversations with law enforcement officers and others, and my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

6. Based on my conversations with members of the Town of Warwick Police Department and other law enforcement officers, as well as my review of police reports, law enforcement records, and other documents, I have learned, in substance and in part, the following:

a. On or about December 13, 2023, a 73-year old individual (“Victim-1”) reported to the Warwick Police Department that he had been involved in a suspicious incident.

b. Victim-1 reported that the previous day, on December 12, 2023, at approximately 11:30 a.m., he received an email from someone representing to be with the BestBuy Geek Squad stating that Victim-1’s service contract was expiring, and that Victim-1 should call a number listed in the email. Victim-1 called the number and spoke to an individual who stated that their name was “Oscar” (“Co-conspirator 1”). Co-conspirator 1 further stated that Victim-1’s service contract with the BestBuy Geek Squad had already renewed for \$419.99 but that the money would be refunded to Victim-1 if Victim-1 completed a request via PayPal using a link that

Co-conspirator 1 provided.

c. Victim-1 clicked the link provided by Co-conspirator 1 and inputted the requested information, including Victim-1's name, address, date of birth, and bank account information. Victim-1 was asked to enter the refund amount and attempted to input \$419.99. When Victim-1 entered \$419.99, however, the amount of \$41,999 populated. Co-conspirator 1 then told Victim-1 that the error was Victim-1's fault, and that Victim-1 would need to refund BestBuy with cash because BestBuy would have to pay corporate taxes.

d. Victim-1 then went to three different branches of his bank and withdrew a total of approximately \$35,000 in cash while Co-conspirator 1 remained on the phone. Co-conspirator 1 arranged for a courier to pick up the cash from Victim-1, and the courier ("Co-conspirator 2") arrived at approximately 8:00 p.m. that evening. Co-conspirator 1 provided Victim-1 a verification code, which Victim-1 then asked Co-conspirator 2 to supply. After Co-conspirator 2 supplied the verification code, Victim-1 handed Co-conspirator 2 a manilla envelope containing the approximately \$35,000 in cash.

e. The next day, on December 13, 2023, Victim-1 called Co-conspirator 1 to complete the remainder of the transaction. Victim-1 went to a bank and withdrew an additional \$8,000. Victim-1 then headed to another branch of the bank to withdraw additional money when he spoke to his daughter who told him to stop, that Victim-1 had been scammed, and that Victim-1 should report the incident to the police.

f. Victim-1 then reported what had happened to the Warwick Police Department and provided them with a copy of the email he received on December 12, 2023, from someone representing to be with the BestBuy Geek Squad, as well as his phone logs. Victim-1 agreed to work with the Warwick Police Department in order to try and facilitate a meeting with those involved in the fraud.

g. On or about December 13, 2023, Victim-1 called the number he was provided the previous day from someone representing to be with the BestBuy Geek Squad and agreed to supply an additional \$22,000. Victim-1 was instructed that an individual would travel to his residence to pick up the money and show Victim-1 a \$1 bill, and that Victim-1 should verify the serial number on the \$1 bill and then provide the individual with the \$22,000.

h. At approximately 5:37 p.m. on December 13, 2023, an individual later identified as MAZHARUL ISLAM, the defendant, arrived at Victim-1's residence and stated that he was from Geek Squad and there to pick up the \$22,000. ISLAM showed Victim-1 a \$1 bill that contained a serial number matching the serial number Victim-1 was previously supplied. Victim-1 then handed ISLAM an envelope, which he was supplied by the Warwick Police Department. The envelope contained paper, not United States currency.

i. Officers from the Warwick Police Department surveilled ISLAM depart Victim-1's residence in a red SUV. Shortly thereafter, they conducted a traffic stop of the red SUV and arrested ISLAM.

7. Based on my review of a recorded, *Mirandized*, post-arrest interview of MAZHARUL ISLAM, the defendant, by members of the Town of Warwick Police Department on December 13-14, 2023, I know that during that interview, Islam admitted, *inter alia*, that:

- a. ISLAM met Victim-1 on December 13, 2023 to pick up \$22,000;
- b. ISLAM had engaged in similar cash pickups before;
- c. ISLAM had been working for an individual in India who paid him \$2,000 for each cash pickup he completed, and ISLAM communicated with that individual in India via cellphone to coordinate the cash pickups; and
- d. ISLAM is a citizen of the People's Republic of Bangladesh and is present in the United States as a Student Visa holder.

8. Based on my review of HSI and other immigration records, I know that MAZHARUL ISLAM, the defendant, is a citizen of Bangladesh and has no permanent status in the United States.

9. MAZHARUL ISLAM, the defendant, continued to engage in elder-fraud following his arrest by the Town of Warwick Police Department. Based on my conversations with a Special Agent at the Federal Bureau of Investigation based in Ohio, as well as a review of the public docket in *United States v. Mazharul Islam*, 5:24-Cr-100 (CEF), I know that ISLAM pleaded guilty on or about August 26, 2024, in the United States District Court for the Northern District of Ohio, to one-count of conspiracy to launder money, in violation of 18 U.S.C. § 1956(h), for his role, from on or about January 8, 2024, to January 26, 2024, as part of a conspiracy to launder proceeds of a similar elder-fraud scheme in Ohio. ISLAM, who is currently detained pending sentencing in that case, is scheduled to be sentenced on November 20, 2024.

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WHEREFORE, I respectfully request that a warrant be issued for the arrest of MAZHARUL ISLAM, the defendant, and that he be arrested, and imprisoned or bailed, as the case may be.

/s/ Daniel Suden (signed by VR with permission)  
Daniel Suden  
Special Agent  
U.S. Department of Homeland Security, HSI

Sworn to before me by reliable electronic means (Microsoft Teams)  
this 18<sup>th</sup> day of November, 2024.

  
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THE HONORABLE VICTORIA REZNIK  
United States Magistrate Judge  
Southern District of New York